The opinion in support of the decision being entered today is not binding precedent of the Board.

Paper No. 111

Filed by: Motions Panel
Board of Patent Appeals and Interferences
Mail Stop Interference
P.O. Box 1450
Alexandria, VA 22313-1450
Tel: 571-272-9797
Fax: 571-273-0042

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

APR 28 2005

PAT & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

VLADIMIR M. **ZAKOSHANSKY**
Junior Party
(U.S. Application 08/545,092),

v.

RICHARD R. **HERTZOG**, STYLIANOS SIFNIADES
AND WILLIAM B. FISHER
Senior Party,
(U.S. Application 09/865,190).

Patent Interference No. 104,831

Before: SPIEGEL, GARDNER LANE and TIERNEY, Administrative Patent Judges.

TIERNEY, Administrative Patent Judge.

JUDGMENT - No Interference-in-Fact - Bd.R. 127(a)

For the reasons provided in the Decision on Motions (Interference No. 104,831, Paper No. 110), it is:

ORDERED that there is no interference-in-fact between the remaining claims of Zakoshansky, U.S. Serial No. 08/545,092 (claims 5, 12-20, 22-26 and 28) and Hertzog, et al., U.S. Serial No. 08/865,190 (claims 9, 30, 38 and 42).

FURTHER ORDERED that a copy of this judgment shall be placed and given a paper number in the file of Zakoshansky, U.S. Serial No. 08/545,092 and in the file of Hertzog, et al., U.S. Serial No. 08/865,190.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135 (c).

cc: (via FedEx):

Attorney for **ZAKOSHANSKY**:

Eric C. Woglom, Esq.
Thomas J. Vetter
FISH & NEAVE
1251 Avenue of the Americas
New York, NY 10020
Tel: (212) 596-9000 (Main)
Tel: (212) 596-9066 (Mr. Woglom)
Tel: (212) 596-9114 (Mr. Vetter)
Fax: (212) 596-9090

Attorney for **HERTZOG**:

Robert A. Koons, Jr., Esq.
Daniel Mark Maloney
BUCHANAN INGERSOLL, PC
1835 Market Street, 14th Floor
Philadelphia, PA 19103-2985
Tel: (215) 665-8750 (Main)
Tel: (215) 665-3825 (Mr. Koons)
Tel: (215) 665-3676 (Mr. Maloney)
Fax: (215) 665-8760